



IRW 3738/8

Attorney Docket No. TRNSV-001C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--|---|------------------------------|
| In re Application of: Makower et al. |) | |
| Application No. 09/708,923 |) | Art Unit: 3738 |
| |) | |
| Filed: November 8, 2000 |) | Examiner: Isabella, David J. |
| |) | |
| For: Methods and Apparatus for Bypassing |) | |
| Arterial Obstructions and/or Performing |) | |
| <u>Other Anatomical Conduits</u> |) | |

Transmittal of Supplemental Information Disclosure Statement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).
2. ☒ The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either:
 - (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311, whichever occurs first.

CERTIFICATION OR FEE

- A. Included with this transmittal is
- i. ☐ a certification (set forth below) in accordance with 37 C.F.R. § 1.97(e). (If for any reason the certificate set forth below should be unsatisfactory, the Commissioner is provisionally authorized to

charge the \$210 fee (37 C.F.R. § 1.17(p)) to Deposit Account No. 50-0878.

OR

- ii. ☒ the attached fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).
3. ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, but before, or simultaneously with the payment of the issue fee, and;
- ☐ In accordance with the requirements of 37 C.F.R. § 1.97(d), set forth below is a certification as specified in 37 C.F.R. § 1.97(e) and Applicant submits herewith the fee set forth in 37 C.F.R. § 1.17(p). (\$130.00); *or*
- ☐ Filed concurrently herewith is a Request for Continuing Examination under 37 C.F.R. 1.114.

CERTIFICATION

(Required if 2Ai or 3 above is marked)

4. I, the person signing below, certify
- ☐ that each item of information contained in the information disclosure statement was cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. § 1.97(e)(1).

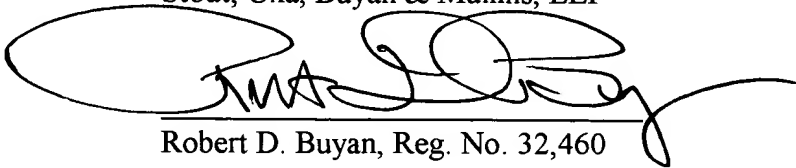
OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. § 1.97(e)(2).

5. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-0878.

Respectfully submitted,
Stout, Uxa, Buyan & Mullins, LLP

Date: June 29, 2004



Robert D. Buyan, Reg. No. 32,460

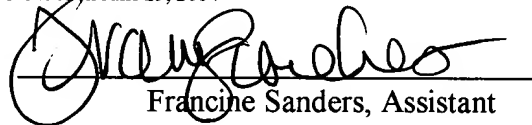
4 Venture, Suite 300
Irvine, CA 92618
Telephone: (949) 450-1750, Facsimile: (949) 450-1764
email: rbuyan@patlawyers.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2313-1450, on June 29, 2004

Dated: June 29, 2004

By:



Francine Sanders, Assistant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Makower et al.)
 Application No. 09/708,923)
 Filed: November 8, 2000)
 For: Methods and Apparatus for Bypassing)
 Arterial Obstructions and/or Performing)
 Other Anatomical Conduits)

Art Unit: 3738

Examiner: Isabella, David J.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR SECTION 1.97

07/07/2004 NROCHA1 00000010 500070 09700923

01 FC:1006

100.00 DA

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR Section 1.97 applicant hereby discloses the documents listed on the form PTO-1449 enclosed hereto. Copies of the disclosure documents are enclosed herewith for the Examiner's review.

No representation is made that the references disclosed herein legally constitute prior art, or that more relevant references are not available. The disclosed references are printed in the English language and/or accompanied by an Abstract published in the English language.

The disclosed references, when taken alone or in combination, are not believed to disclose nor make obvious the invention as claimed in the subject application.

As this Information Disclosure Statement is being submitted after three (3) months from the filing date of the application and after the mailing of a first Office Action on the merits, it is believed that a fee is required. Fee is properly deemed to be due in connection with this filing, the Commissioner is authorized to deduct such fee from Deposit Account No.50-0878.

Respectfully submitted,

Stout, Uxa, Buyan & Mullins, LLP

Robert D. Buyan
 Registration No. 32,460

Dated: June 29, 2004
 4 Venture, Suite 300
 Irvine, CA 92618

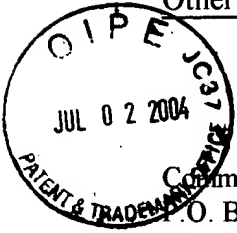
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 29, 2004.

Dated: June 29, 2004

By:

Francine Sanders, Assistant



Form PTO-1449

JUL 02 2004
**INFORMATION DISCLOSURE CITATION
 IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional) **TRNSV-001C**Application Number **09/708,923**Applicant **Joshua Makower**Filing Date **11/8/00**Group Art Unit **3738****U. S. PATENT DOCUMENTS**

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | RULING DATE IF APPROPRIATE |
|---------------------|-----------------|---------------|---------------|-------|----------|-------------------------------|
| | 5,035,702 | Jul. 30, 1991 | Taheri | | | |
| | 5,234,447 | Aug. 10, 1993 | Kaster et al. | | | |
| | 5,287,861 | Feb. 22, 1994 | Wilk | | | |
| | 5,428,699 | Jun. 27, 1995 | Pon | | | |
| | 5,429,144 | Jul. 4, 1995 | Wilk | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

FOREIGN PATENT DOCUMENTS

| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|--|---------------|---------------|-------|----------|-------------|----|
| | | | | | | YES | NO |
| | EP Patent Application Publication No.: 0 666 065 A1 | Aug. 9, 1995 | Europe | | | | |
| | EP Patent Application Publication No.: 0 282 157 A1 | Sep. 14, 1988 | Europe | | | | |
| | DE Patent Application Publication No.: 26 57 255 | Jun. 29, 1978 | Germany | | | | |
| | PCT publication WO 93/00868 | Jan. 21, 1993 | International | | | | |
| | PCT publication WO 92/10142 | Jun. 25, 1992 | International | | | | |
| | PCT publication WO 93/08738 | May 13, 1993 | International | | | | |
| | PCT publication WO 94/20037 | Sep. 15, 1994 | International | | | | |
| | PCT publication WO 95/17131 | Jun. 29, 1995 | International | | | | |
| | Database WPI XP-002097328 | Mar. 23, 1991 | International | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|--|--|
| | | |
| | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to the applicant.